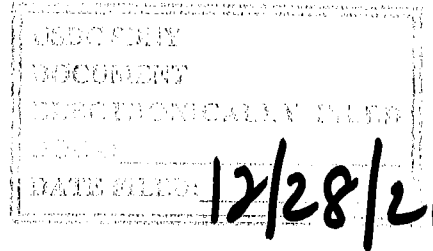


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MARGARET WEINBERG,  
Plaintiff,

v.

SHERIFF ADRIAN H. ANDERSON;  
DEPUTY SHERIFF AARON MALONE;  
THE COUNTY OF DUTCHESS;  
and JOHN DOE,  
Defendants.  
-----X



**ORDER**

21 CV 293 (VB)

Defendants having filed a partial motion to dismiss the amended complaint pursuant to Rule 12(b)(6) (Doc. #16), it is hereby ORDERED:

1. Defendants' motion is GRANTED IN PART and DENIED IN PART. The motion is GRANTED with respect to the following claims: (i) conspiracy, (ii) the Monell claim, (iii) gross negligence and negligence, (iv) negligent hiring, training, and supervision, (v) intentional infliction of emotional distress, and (vi) claims under the New York State constitution. The motion is DENIED with respect to plaintiff's other claims. Plaintiff's First, Second, and Seventh Claims for Relief shall proceed.

2. A telephone conference is scheduled for January 14, 2022, at 11:00 a.m., at which time the Court will issue a bench ruling explaining the basis for its decision. This conference shall also serve as an initial conference in this matter, for which the Court will separately issue a Notice of Initial Conference. Counsel shall use the following information to connect by telephone:

**Dial-In Number:** (888) 363-4749 (toll free) or (215) 446-3662

**Access Code:** 1703567

3. By January 7, 2022, counsel shall file on the ECF docket their proposed Civil Case Discovery Plan and Scheduling Order, the blank form for which will be attached to the Notice of Initial Conference.

4. The Clerk is instructed to terminate the motion, (Doc. #16), and to terminate as defendants Sheriff Adrian H. Anderson and the County of Dutchess.

Dated: December 28, 2021  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti  
United States District Judge